IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

BEARY LANDSCAPING, INC., GREAT LAKES)	
LANDSCAPE CO., INC., MAHONEY &)	
ASSOCIATES, L.L.C., McGINTY BROS. INC.,)	
NATURAL CREATIONS LANDSCAPING, INC.,)	
PEDERSEN CO., REIL CONSTRUCTION INC.,)	
SEBERT LANDSCAPING CO., STAN'S)	
LANDSCAPING, INC., WALSH LANDSCAPE,)	
INC., BRIAN BEARY, JOHN CEDERLUND,)	
JOSE GARCIA, SANDRA HARYNEK,)	
CLINTON J. MAHONEY, CHARLES P.) [No. 05 C 5697
McGINTY SR., PAUL F. PEDERSEN, STANLEY)	
PEDERSEN, JEFFREY SEBERT, and JOHN R.)]	Judge Zagel
WALSH III,) 1	Magistrate Judge Denlow
)	
Plaintiffs,)	
)	
v.)	
)	
CATHERINE SHANNON, in her official capacity)	
as Director of the Illinois Department of Labor,)	
)	
Defendant.)	

PLAINTIFFS' APPENDIX IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT

Donald J. McNeil, #06193106 The Law Office of Donald J. McNeil 617 West Fulton Street Chicago, Illinois 60661 (312) 207-5677 (312) 704-4500 (FAX) donald.mcneil@sbcglobal.net

TABLE OF CONTENTS

<u>DESCRIPTION</u>	TAB
Answer	A
Excerpts from Defendant's Amended Answer and Objections to Plaintiffs' First Set of Interrogatories	В
Excerpts from Deposition of Brian Beary	C
Excerpts from Deposition of John Cederlund	D
Excerpts from Deposition of Jose Garcia	Е
Excerpts from Deposition of Kevin Harynek	F
Excerpts from Deposition of Clinton J. Mahoney	G
Excerpts from Deposition of Charles P. McGinty Sr.	Н
Exhibits from Deposition of Paul F. Pedersen	I
Excerpts from Deposition of Stanley Pedersen	J
Excerpts from Deposition of Jeffrey Sebert	K
Excerpts from Deposition of John R. Walsh III	L
Exhibit from Deposition of Dale Conaway	M
Excerpts from Deposition of Carla J. Pulley	N
Exhibit from Deposition of Carla J. Pulley	O
Excerpts from Deposition of Thomas D. Whalen	P
Excerpts from Report of Proceedings Aug. 14, 2002, In Re City of St. Charles and International Union of Operating Engineers Local Union No. 150, AEL-CIO	0

<u>DESCRIPTION</u>	TAB
Excerpts from Transcript of Proceedings, <i>In re Illinois Landscape</i> Contractors Ass'n v. Ludwig, File No. 05-MK-08-0084 (III. Dept. of Labor Oct. 1, 2004)	R
Excerpts from Plaintiffs' First Stipulation Exhibit A	S
Excerpts from Plaintiffs' First Stipulation Exhibit B	T
Documents Produced by Defendant	U
Circuit Court Orders	V
Plaintiffs' Exhibits	W

CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that on December 9, 2010, he electronically filed the foregoing Plaintiffs' Appendix in Support of Motion for Summary Judgment with the Clerk of the Court using the CM/ECF system, which provided automatic notice to the following:

Peter C. Koch, Esq. Assistant Attorney General 100 W. Randolph Street, 13th Floor Chicago, Illinois 60601 pkoch@atg.state.il.us

The undersigned attorney further certifies that on November 12, 2010, he delivered a copy of the foregoing by electronic mail to the following:

Peter C. Koch, Esq. Assistant Attorney General 100 W. Randolph Street, 13th Floor Chicago, Illinois 60601 pkoch@atg.state.il.us

/s/ Donald J. McNeil